

MESSAGE NO: 3255304 MESSAGE DATE: 09/12/2013

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE: ALIWE-Auto Liq Exception

FR CITE: 78 FR 53128 FR CITE DATE: 08/28/2013

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-475-818

EFFECTIVE DATE: 08/28/2013 COURT CASE #:

PERIOD OF REVIEW: 07/01/2012 TO 06/30/2013

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 08/28/2013

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Automatic liquidation instructions for Certain Pasta from Italy for the period 07/01/2012 through 06/30/2013 (A-475-818)

1. Commerce does not automatically conduct administrative reviews of antidumping duty orders. Instead, reviews must be requested pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended, and in accordance with 19 CFR 351.213.

2. Commerce has not received a request for an administrative review of the antidumping duty order for the period and on the merchandise identified below except for certain firms. Therefore, in accordance with 19 CFR 351.212(c), you are to assess antidumping duties on merchandise entered, or withdrawn from warehouse, for consumption at the cash deposit rate in effect on the date of entry:

Product: Certain Pasta

Country: Italy

Case number: A-475-818

Period: 07/01/2012 through 06/30/2013

Liquidate all entries for all firms except:

Rummo S.p.A. Molino e. Pastificio ("Rummo") (AKA Rummo S.p.A.)

Case number: A-475-818-031

Pasta Lensi S.r.L. (Lensi)

Case number: A-475-818-037

Molino e Pastificio Tomasello S.p.A. (AKA Molino e Pastificio Tomasello S.r.L. ("Tomasello"))

Case number: A-475-818-040

Pasta Zara S.p.A.

Case number: A-475-818-049

Alica srl

Case number: No case number exists for this company. Entries may have been made under A-475-818-000 or other company-specific case numbers.

Dalla Costa Alimentare srl

Case number: No case number exists for this company. Entries may have been made under A-475-818-000 or other company-specific case numbers.

Delverde Industrie Alimentari S.p.A. ("Delverde")

Case number: No case number exists for this company. Entries may have been made under A-475-818-000 or other company-specific case numbers.

Ghigi Industria Agroalimentare in San Clemente srl ("Ghigi")

Case number: No case number exists for this company. Entries may have been made under A-475-818-000 or other company-specific case numbers.

Pastificio Toscano srl ("Toscano")

Case number: No case number exists for this company. Entries may have been made under A-475-818-000 or other company-specific case numbers.

Valdigrano di Flavio Pagani S.r.L. ("Valdigrano")

Case number: No case number exists for this company. Entries may have been made under A-475-818-000 or other company-specific case numbers.

CBP officers must also examine entries under A-475-818-000 and all existing company-specific case numbers to ensure the continued suspension of liquidation of entries during the applicable period of review for the companies listed above.

3. There are no injunctions applicable to the entries covered by this instruction.

4. Entries of merchandise of excepted firms should not be liquidated until specific instructions are issued. Continue to suspend liquidation of all entries of merchandise exported or produced by the listed firms and entered, or withdrawn from warehouse, for consumption during the period 07/01/2012 through 06/30/2013.

5. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2 occurred with the publication of the notice of initiation of administrative review for the 07/2013 anniversary month (78 FR 53128, 08/28/2013). Unless instructed otherwise, for all other

shipments of Certain Pasta from Italy you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

6. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping and/or countervailing duties, CBP shall double the antidumping duty and/or increase the antidumping duty by the amount of the countervailing duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O8: SM.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party